

Citizen's Police Review Board

08/27/2012

MINUTES

Board Members Present:

Minister William C. Muhammad,
Quintan Cooley, Connie Navarro,
Carlos Florez, David Bukala,
Dardinella Hippchen, Ann Craig,
Ruby Clark

Board Members Absent:

Nicholas Archer

Staff Present:

Denny Powers, Staff Liaison
Kurt Dykman, Internal Affairs Detective

Chairperson William Muhammad called the meeting to order at 6:32 p.m.

Chairperson Muhammad asked if everyone had a chance to read the previous meeting minutes and if there were any corrections or additions. It was motioned, supported and passed to approve the minutes as presented.

Old Business

None.

New Business

Setting Next Meeting Date

As Mr. Powers will be out of town on October 1, Chairperson Minister William C. Muhammad suggested holding the October meeting on October 8. It was motioned, supported and passed by unanimous consent to move the October meeting to October 8. Due to the regular September meeting date falling on Labor Day there will not be a September meeting unless there is an appeal.

Appeal on Case 12-04

Chairperson Minister William C. Muhammad opened up the appeal hearing on case 12-04. He acknowledged the presence of Shannon Brown and her mother Lois Morris.

Chairperson Muhammad asked Ms. Brown to state her complaint in her words and to share any information she wished with the board.

Ms. Brown stated her complaint which contained a number of issues on how a traffic accident was handled as well as the outcome. This included the allegations that the traffic crash was not properly investigated, the crash report contained inaccuracies, the officer was rude and that the other driver was favored.

Ms. Morris, who is the owner of the vehicle that was being driven by Ms. Brown, also spoke to her view of what she saw when she arrived on the scene after the crash and her interaction with the officer. She also noted that in addition to their initial letters which accompanied their original complaint that there was another letter that was submitted at a later date which is not included in the packet that the board had. This letter was read to the board from a laptop computer that the complaints had with them.

After this there were several questions from the board including a question on the disposition of the ticket issued to Ms. Brown. Ms. Brown stated that she contested the ticket and it was thrown out by the magistrate. It was also questioned if the fact that Ms. Brown did not come in for an interview with the internal affairs detective lead to the disposition given in the case. It was noted by Detective Dykman that it is preferable to have the complainant come in for any clarification that may be needed and so any additional information that might be helpful could be provided but that the disposition is based upon the information that was on hand and was not made just because the complainant would not come in for an interview. Detective Dykman did a diagram of the intersection and the vehicle placements on the white board.

There was a lengthy discussion among the board members prior to a motion being made.

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MOTION

The following motion was made by Mr. David Bukala.

While the board recognizes the complainant may have been treated unfairly and there were inaccuracies in the crash report and there exists a need to promote a sense of confidence by the citizens in the review of actions by it's police officers, it is moved that the disposition of not sustained is supported.

The motion was seconded by Mr. Carlos Florez.

Following some discussion, the chair asked for a roll call vote for which the results were as follows:

Yes: Connie Navarro, David Bukala, Carlos Florez, Quintan Cooley, Ruby Clark

No: William C. Muhammad, Dardinella Hippchen

Abstain: Ann Craig

The motion passes

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Public Participation

Ms. Morris commented that she thought the wording of the motion was confusing and is not sure that all of the board members knew what their vote meant.

It was asked what the next steps were.

Chairperson William Muhammad explained that the CPRB is appointed by the City Commission and that the CPRB only has the power to make recommendations and that the Public Safety Director, City Manager and Commission would get copies of the minutes showing their motion. He explained that there is no other internal appeal process beyond the appeal hearing by the board and for anything beyond that the complainant would have to seek the advice of an attorney.

The complainant noted that they would be going to the commission since the board is appointed by the commission.

It was motioned and supported to adjourn the meeting.

The meeting was adjourned at 8:41 p.m.

The next meeting is October 8, 2012 at 6:30 p.m. in room 103 of Muskegon City Hall.

Respectfully submitted,

Denny Powers

Denny Powers, Staff Liaison to the CPRB